

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

Civil Action No. 05-11067-PBS

VOLKSWAGEN AG,)
VOLKSWAGEN OF AMERICA, INC.)
and BUGATTI INTERNATIONAL, S.A.,)
)
Plaintiffs,)
)
v.)
)
THE BUGATTI, INC.,)
)
Defendant.)
)

PLAINTIFFS' ASSENTED-TO MOTION FOR ENLARGEMENT OF TIME WITHIN WHICH TO RESPOND TO DEFENDANT'S ANSWER AND COUNTERCLAIM

Pursuant to Fed. R. Civ. P. 6(b), the plaintiffs, Volkswagen AG, Volkswagen of America, Inc. and Bugatti International, S.A., request the Court to enlarge by one week, until August 23, 2005, the time for filing a reply to defendant's counterclaim and for filing any other motions permitted by Fed. R. Civ. P. 12. Defendant, The Bugatti, Inc., through counsel, has assented to this extension. In support of this motion, plaintiffs state the following:

1. With the plaintiffs' consent, the defendant has already enjoyed two extensions of time, totaling 44 days, for filing its answer and counterclaim. Plaintiffs served the Complaint on May 24, 2005, rendering defendant's answer due by June 13, 2005. With the plaintiffs' assent, the defendant sought and received an initial extension of one month and a second extension of two additional weeks, filing its answer and counterclaim on July 27, 2005.

2. The defendant's delay in filing its own answer and counterclaim suggests that at this stage in the litigation, time is not of the essence so far as the defendant's interests are concerned. The defendant, therefore, will suffer no prejudice by allowing the plaintiffs one

additional week within which to respond to the answer and counterclaim.

3. By telephone on Friday, August 12, 2005, defendant's counsel assented to the requested extension.

WHEREFORE, Volkswagen AG, Volkswagen of America, Inc. and Bugatti International, S.A., respectfully request the Court to allow their Motion and to enlarge by one week, until August 23, 2005, the time for responding to the answer and counterclaim.

Respectfully submitted,

VOLKSWAGEN AG, VOLKSWAGEN OF AMERICA, INC. and BUGATTI INTERNATIONAL, S.A.,

By their attorneys,

/s/ David A. Brown /s/

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Dated: August 12, 2005

LOCAL RULE 7.1(A)(2) CERTIFICATE

Counsel for the plaintiffs hereby certify that they have conferred with counsel for the defendant, The Bugatti, Inc., and that defendant has assented to the requested extension of time.

David A. Brown